



## **ATTACHMENT D**

### **Amendments to the Drawings**

The attached Replacement sheet of the drawings includes the following change:

- in figure 1, the addition of identifying number "1" to the lead line previously provided.

The Replacement sheet replaces the original or previously filed corresponding sheet having the same figure.



### Remarks

By this Amendment, various minor corrections have been made in the specification. In the claims, independent claim 1 has been amended to include the subject matters of now canceled dependent claims 3, 5 and 6. Other dependent claims have also been amended consistent with the deletion of the noted claims or for clarity. It is submitted that the present application is in condition for allowance for the following reasons.

Initially, it is noted that the examiner has indicated in paragraph 1 of the Detailed Action (and in #12 of the Office Action Summary) that no copy of the priority document is present in the application. However, as clearly evidenced by the Receipt Postcard and by the stamped Mail Room receipt in Attachment E, a copy of the priority application was filed together with the initial application. Therefore, it is requested that the examiner direct that the filed priority be located, and receipt thereof by the Patent Office to complete the claim for priority acknowledged in the next action.

Also in paragraph 1, the examiner indicated that a new declaration was required in order to correct the incorrect priority date found on the declaration filed with the initial application. Therefore, also included in Attachment E is a new declaration to be substituted for the original in which the correct date of the priority application is now recited. Changing of the Patent Office records to show the correct priority date, and the examiner's assistance in doing so, are also requested.

In paragraph 2 of the Action, figure 1 was objected to because there was no identifying number "1" present thereon as referred to in the specification. In order to correct this error, a replacement sheet of figure 1 is provided in Attachment D. It will be appreciated that the number 1 is now provided on figure 1 adjacent the lead line which was present without an identifying number, as the number was inadvertently and self-evidently left off of that lead line.

In paragraph 4 of the Action, dependent claims 10, 15 and 16 were rejected as being indefinite under 35 USC § 112 for the noted reasons. By this Amendment, suitable corrections of a self-evident nature have been made in claims 10 and 15 to overcome this rejection.

In paragraph 6 of the Action, independent claim 1 and dependent claims 2-10, 12-13 and 15-16 were all rejected under 35 USC § 102 as being anticipated by the Caralli patent ; while in paragraph 7, claims 1-3 were rejected under 35 USC § 102 as being anticipated by the Eimer patent; and in paragraph 8, claims 1-2 were rejected under 35 USC § 102 as being anticipated by the Dossaji patent. However, as noted above, amended independent claim 1 now recites the subject matters of dependent claims 3, 5 and 6. Thus, the rejections of claim 1 (and claims 2 and/or 3) over the Eimer patent and Dossaji patent are no longer applicable and will not be discussed further. And for the following reasons, it is submitted that claims 1-10, 12-13 and 15-16 are all allowable over the Caralli patent .

While the examiner has broadly asserted that the subject matter of dependent claims 3, 5 and 6 now in amended independent claim 1 were anticipated by the Caralli patent, it is submitted that this assertion is not correct. The Caralli patent does not

teach that shuttle valve units A and B are castings. Indeed it does not explicitly disclose at all how these units are formed. Column 5 lines 2 and 3 of the Caralli patent states that the "housing units" are of metal material, but it is not entirely clear if these "housing units" are the same thing as shuttle valve units A and B. Further, even if they are, they do not appear to have been formed as castings. For example, Figs. 5 and 7 of the Caralli patent seem to show that each shuttle valve unit is formed in three parts, with thin sealing (or perhaps bonding) layers indicated by thickened diagonal hatching between a central part and the two outer (left, right) parts. As there are evident sealing layers (or perhaps bonding layers of adhesive or braze), the three parts of each unit are obviously formed separately by machining, though we are not told explicitly. In any event, the Caralli patent neither discloses nor makes obvious the use of a casting for the manifolds as claimed in claim 1.

In addition, the housings for shuttle valve units A and B of the Caralli patent are not identical, and there is no suggestion or teaching that such would be desired. However, as noted in the specification, by adopting manifolds formed as identical castings, manufacturing costs can be reduced significantly. Further, without identical manifolds in the Caralli patent, it is also not possible that a position occupied by the exhaust valve in one housing left vacant in the other housing, as further claimed and made possible by the identical manifolds claimed. Thus, the identity and vacant positions as now claimed in amended independent claim 1 also make claim 1 additionally allowable over the Caralli patent.

Therefore, for all of the foregoing reasons, it is submitted that amended independent claim 1 is neither disclosed nor made obvious by the Caralli patent. And

for these same reasons, it is submitted that claims 2, 4, and 7-16 dependent therefrom are also allowable.

In paragraph 10 of the Action, dependent claim 10 was rejected under 35 USC § 103 as being unpatentable over the Caralli patent in view of the Jones patent; while in paragraph 11, dependent claim 14 was rejected under 35 USC § 103 as being unpatentable over the Caralli patent in view of the Hunter patent. However, it is submitted that these claims are allowable over this combination of references at least for the same reasons that independent claim 1 is allowable as discussed above.

The remaining references which were cited but not applied are not believed to be pertinent to the patentability of the present invention.

In paragraph 13, the examiner also noted some minor corrections which were needed to the specification. By this Amendment, suitable corrections as directed as well as a spelling error have been corrected in the specification as provided in Attachment A.

For all of the foregoing reasons, it is submitted that the present application is in condition for allowance and such action is solicited.